

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

TORRANCE UNIFIED SCHOOL  
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2014020044

ORDER FOR DISTRICT TO SERVE  
ITS OPPOSITION TO STUDENT'S  
MOTION TO DISMISS UPON  
PARENT/CONSERVATOR

On January 31, 2014, attorney Sharon Watt filed with the Office of Administrative Hearings (OAH) a due process hearing request (complaint) on behalf of Torrance Unified School District (District) naming Student (Student) as the respondent. The complaint's proof of service states Ms. Watt's offices served the complaint via fax upon attorney Warren Finn.

On February 14, 2014, Student's Parent and conservator (Parent) filed on behalf of Student a motion to dismiss the complaint because District failed to serve Parent. On February 18, 2014, District filed opposition claiming that Mr. Finn notified District in December of 2013 that he exclusively represented Parent regarding Student's special education needs, including any possible due process proceeding. Accordingly, District served the complaint upon Mr. Finn, not the Parent. District also noted that Parent did not state if Mr. Finn no longer represents Student and, if so, when such representation ceased.

The opposition's proof of service states Ms. Watt's offices served District's opposition via fax upon Mr. Finn. However, Parent has appeared in this matter and OAH has no notice of representation from Mr. Finn. Accordingly, for purposes of assuring that the Parent has an opportunity to respond, and to clarify whether Parent is represented, District is ordered to serve its opposition to Parent's motion to dismiss by close of business, February 18, 2014 [the date of this order].

If desired, Parent must file Student's response to District's opposition by close of business (5:00 p.m.), Wednesday, February 19, 2014. Parent should indicate if Mr. Finn represents Parent and Student, as provided in the Authorization of Representation that Parent executed on December 17, 2013.

DATE: February 18, 2014

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CLIFFORD H. WOOSLEY  
Administrative Law Judge  
Office of Administrative Hearings